

HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELI BICKERTON,

Plaintiff,

v.

HYATT CORPORATION, et al.,

Defendants.

Case No. 2:20-cv-397RSL

**JOINT STIPULATION TO  
DISSEMINATE CORRECTIVE  
POSTCARD NOTICE**

1 Plaintiff Eli Bickerton (“Plaintiff”) and Defendants Hyatt Corporation, Hyatt Corporation  
2 DBA Hyatt Olive 8, and Hyatt Corporation DBA Grand Hyatt Seattle (“Defendants”) (together, the  
3 “Parties”) hereby notify the Court as follows:

4 **WHEREAS**, after a productive exchange of informal discovery and class data and  
5 information, and after informed, arms-length, and non-collusive negotiations, including participating  
6 in two private mediation sessions with highly respected wage-and-hour mediator, Nancy Maisano, as  
7 well as subsequent negotiations via phone calls and email correspondence over a period of several  
8 weeks, the Parties resolved this matter on a class-wide basis and entered into the Class Action  
9 Settlement Agreement [Dkt. No. 37-1];

10 **WHEREAS**, Plaintiff filed his Unopposed Motion for Preliminary Approval of Class Action  
11 Settlement on September 6, 2022 [Dkt No. 36];

12 **WHEREAS**, in the Court’s Order Granting Plaintiff’s Unopposed Motion for Preliminary  
13 Approval of Class Action Settlement (the “PA Order”), the Court preliminarily approved the Parties’  
14 Class Action Settlement Agreement on November 21, 2022 [Dkt. No. 40] and directed the mailing of  
15 the Class Notice to the Class Members;

16 **WHEREAS**, pursuant to the PA Order, the Settlement Administrator timely disseminated the  
17 Class Notice to Class Members on January 5, 2023;

18 **WHEREAS**, on January 31, 2023, counsel for Defendants informed Plaintiff’s counsel that  
19 approximately 214 individuals had been erroneously included in the class list provided to the  
20 Settlement Administrator (these 214 individuals shall be referred to as “Non-Class Member  
21 Individuals” for purposes of this Stipulation), as Defendants’ counsel had determined the Non-Class  
22 Member Individuals did not meet the definition of a “Class Member” under the Settlement Agreement  
23 and wished to correct the issue after meeting and conferring with Plaintiff’s counsel;

24 **WHEREAS**, the Non-Class Member Individuals have received the Class Notice by mistake;

25 **WHEREAS**, the Parties agree that the Non-Class Member Individuals are not Class Members  
26 in this case, and therefore they should not receive any money under the settlement, and they will not  
27 release any claims against Defendants.

28 **WHEREAS**, in order to correct the issue of the Non-Class Member Individuals’ receipt of

the Class Notice by mistake, the Parties wish to send a corrective postcard notice to the Non-Class Member Individuals that will, among other information, advise them that they received the original Class Notice by mistake, that they are not (and never were) Class Members in this case, that they will not get any money under the settlement, and they will not release any claims against Defendants.

**WHEREAS**, the Parties' proposed corrective postcard notice to be sent to the Non-Class Member Individuals inadvertently included in the class list is attached hereto as **Exhibit A**.

**WHEREAS**, the Parties do not believe that all Class Members need to be advised of the inadvertent inclusion of the individuals because the exclusion of the Non-Class Member Individuals only increases the relative share of the settlement that Class Members will receive;

**WHEREAS**, Defendants will separately pay the costs associated with the dissemination of the corrective postcard notice to the Non-Class Member Individuals;

**NOW THEREFORE**, in light of the Parties' agreement, the Parties hereby stipulate and request that the Court authorize dissemination of the corrective postcard notice attached hereto as **Exhibit A**.

**IT IS SO STIPULATED.**

DATED: February 13, 2023

Respectfully submitted,

/s/Craig J. Ackermann

/s/Ryan McCoy

Craig J. Ackermann, WSBA #53330  
 Brian Denlinger, WSBA #53177  
 ACKERMANN & TILAJEF, P.C.  
 2602 North Proctor Street, #205  
 Tacoma, WA 98406  
 Phone: (310) 277-0614  
 Fax: (310) 277-0635  
 Email: [cja@ackermanntilajef.com](mailto:cja@ackermanntilajef.com)  
[bd@ackermanntilajef.com](mailto:bd@ackermanntilajef.com)

Helen M. McFarland, WSBA #51012  
 SEYFARTH SHAW LLP  
 999 Third Avenue, Ste. 3000  
 Seattle, WA 98104  
 Phone: (206) 946-4923  
 Email: [hmcfarland@seyfarth.com](mailto:hmcfarland@seyfarth.com)

India Lin Bodien, WSBA #44898  
 Law Offices of India Bodien, Esq.  
 2522 North Proctor Street, #387  
 Tacoma, WA 98406-5338  
 Tel: (253) 212-7913  
 Email: [india@indialinbodienlaw.com](mailto:india@indialinbodienlaw.com)

Noah A. Finkel (admitted pro hac vice)  
 SEYFARTH SHAW LLP  
 233 S. Wacker Drive  
 Suite 8000  
 Chicago, Illinois 60603  
 Phone: (312) 460-5000  
 Email: [nfinkel@seyfarth.com](mailto:nfinkel@seyfarth.com)

Attorneys for Plaintiff Eli Bickerton

Ryan McCoy (admitted pro hac vice)  
 SEYFARTH SHAW LLP  
 560 Mission Street

Suite 3100  
San Francisco, California 94105  
Phone: (415) 397-2823  
Email: [rmccoy@seyfarth.com](mailto:rmccoy@seyfarth.com)

Attorneys for Defendant Hyatt Corporation

**ORDER**

Having considered the joint stipulation submitted by the Parties and for good cause appearing, the Court hereby authorizes the Parties, through the Settlement Administrator, to disseminate the corrective postcard notice to the approximately 214 Non-Class Member Individuals who were inadvertently included in the class list provided to the Settlement Administrator and sent a Class Notice. If the parties have email addresses for these Non-Class Member Individuals, the corrective notice should also be disseminated by email. Defendants will separately pay the Settlement Administrator costs associated with dissemination of the corrective postcard and, if applicable, email notice.

**IT IS SO ORDERED.**

Dated: February 14, 2023.



HONORABLE ROBERT S. LASNIK